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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/132,327	08/11/1998	MICHEL SAFARS	USB97-SVN-OM	9217

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EXAMINER

PAULA, CESAR B

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 01/20/2004

27

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/132,327

Applicant(s)

SAFARS ET AL.

Examiner

CESAR B PAULA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 62-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 62-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the appeal brief filed on 10/20/2003.

This action is made Non-Final.

2. In the brief, claims 62-78 are pending in the case. Claims 75-76, and 78 are independent claims.
3. The rejection of claim 75 under 35 U.S.C. 103(a) as being unpatentable over Robertson et al, hereinafter Robertson (Pat.# 6,486,895, 11/26/02, filed on 9/8/95) has been withdrawn as necessitated by a newly found prior art, which teaches more clearly the altering of web page structure.
4. The rejections of claims 76-78 under 35 U.S.C. 103(a) as being unpatentable over Robertson (Pat.# 6,486,895, 11/26/02, filed on 9/8/95), in view of Kessenich et al., hereinafter Kessenich (Pat. # 6,034,680, 3/7/2000, filed on 4/30/1997) have been withdrawn as necessitated by a newly found prior art, which teaches more clearly the altering of web page structure.
5. The rejections of claims 62-74 under 35 U.S.C. 103(a) as being unpatentable over Robertson, in view of Weinberg et al, hereinafter Weinberg (Pat.# 5,924,108, 6/13/99, filed on 3/29/96), and further in view of Fein et al, hereinafter Fein (Pat. # 5,924,108, 7/13/99, filed on 3/29/96) have been withdrawn as necessitated by a newly found prior art, which teaches more clearly the altering of web page structure.

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Priority

6. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d), and based on application # PCT/FR98/00917 filed in France on 5/6/1998, which papers have been placed of record in the file.

Drawings

7. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 112

8. As a result of the Applicants explanation of the specification (pages 5-6), the rejection of claim 75 under 35 U.S.C. 112 1st paragraph has been withdrawn.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 62-75 recite the limitation "the structure" in line 13 (claim 75). There is insufficient antecedent basis for this limitation in the claim. There is no previous "structure" mentioned in the claims.

11. Claims 62-75 recite the limitation "the selected pagelets" in lines 17-18 (claim 75). There is insufficient antecedent basis for this limitation in the claim. There is no previous "selected pagelets" mentioned in the claims.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al, hereinafter Robertson (Pat.# 6,486,895, 11/26/02, filed on 9/8/95), in view of Sidana (Pat.# 6,081,829, 6/27/00, filed on 1/31/96), further in view of Lemay et al "Laura Lemay's Web Workshop JavaScript" hereinafter Javascript, Sams.net (1996, p.65-69).

Regarding independent claim 75, Robertson teaches the organization of web pages into an electronic book using a book metaphor. The web pages are made up of varied *content sources and forms*, such as audio, video, images, etc. (c.1, L.42-67, c.2, L.14-67, and c.6,L.1-67).

Moreover, Robertson discloses the addition of web pages to a given electronic book. These web pages are converted into software objects that have a common architecture, and which perform different specific functions for specifying layout, and to indicate ruffling of the pages (c.2, L.14-67, and c.6,L.10-67).

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Moreover, Robertson fails to explicitly disclose *the documents are arranged as pages in chapters*. It would have been obvious to one of ordinary skill in the art to have divided the electronic book into chapters, because Robertson teaches the organization of information in a book metaphor, and the inclusion of chapters would have enabled a user to organize documents (c.1,L.65-c.2,L.50).

Moreover, Robertson fails to explicitly disclose *pagelets being computer programs that perform different specific functions related to the electronic documents in the electronic books...accessing and altering the structure of the electronic book and being distinct from functions accessing contents referenced by the pages of the electronic book*. Sidana discloses the editing, adding, and deleting of annotations to web pages-- *accessing and altering the structure of the electronic book--* using functions or buttons—*computer programs--* located in the web pages (c.7,L.18-67, c.8,L.36-67, and c.9,L.1-67). These functions are different from the functions implemented by the electronic book of Robertson, which manipulate the contents of the web pages in the book. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Robertson, and the functions or buttons (which were programs well known in the art as witnessed by Javascript p.65-69) taught by Sidana, because Sidana teaches above the annotation of web-viewable documents (c.1, L. 33-67). Therefore, the addition of annotations representing a user's comments would provide the benefit of easily annotating web pages, such as the ones in Robertson's electronic book.

Furthermore, Robertson fails to explicitly disclose *electronic book...that are each usable in other electronic books*. It would have been obvious to one of ordinary skill in the art to have allowed the pages be used in other books, because Robertson teaches the transfer, and use of the

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electronic book by other users, and that the web pages are converted into interchangeable/rearrangeable objects, and the use of the page objects would have enabled a user to interchange, and rearrange the page objects without having to convert these page objects (c.6,L.1-67). Thereby allowing the creation of webbooks from the website or catalog of web pages having special functionality to alter the structure of the electronic book.

14. Claims 76-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al, hereinafter Robertson (Pat.# 6,486,895, 11/26/02, filed on 9/8/95), in view of Sidana, further in view of Javascript, and further in view of Gish (Pat.# 6,233,620, 5/15/01, filed on 7/2/96).

Regarding independent claim 76, Robertson teaches the conversion, and organization—*arrangement--* of web pages into an electronic book, with a standard interface, using a book metaphor. The web pages are made up of varied *content sources and forms*, such as audio, video, images, etc. (c.1, L.42-67, c.2, L.14-67, and c.6,L.1-67).

Moreover, Robertson discloses the addition of web pages to a given electronic book. These web pages are converted into software objects that have a common architecture, and which perform different specific functions for specifying layout, and to indicate ruffling of the pages (c.2, L.14-67, and c.6,L.10-67).

Moreover, Robertson fails to explicitly disclose *pagelets that are computer programs for altering the arrangement of the electronic book, altering the arrangement of the electronic book by executing one of the pagelets*. Sidana discloses the editing, adding, and deleting of

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annotations to web pages using functions or buttons—*computer programs for altering the arrangement of the electronic book* -- located in the web pages(c.7,L.18-67, c.8,L.36-67, and c.9,L.1-67). These functions are different from the functions implemented by the electronic book of Robertson, which manipulate the contents of the web pages in the book. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Robertson, and the functions or buttons (which were programs well known in the art as witnessed by Javascript p.65-69) taught by Sidana, because Sidana teaches above the annotation of web-viewable documents (c.1, L. 33-67). Therefore, the addition of annotations representing a user's comments would provide the benefit of easily annotating web pages, such as the ones in Robertson's electronic book.

Moreover, Robertson fails to explicitly disclose *the documents are arranged as pages in chapters*. It would have been obvious to one of ordinary skill in the art to have divided the electronic book into chapters, because Robertson teaches the organization of information in a book metaphor, and the inclusion of chapters would have enabled a user to organize documents (c.1,L.65-c.2,L.50).

Furthermore, Robertson fails to explicitly disclose *a standardized interface that is independent of computer languages*. Gish teaches the creation of a presentation interface using platform independent JAVA programming language (c.15,L.20-c.16,L.16). It would have been obvious to one of ordinary skill in the art to have combined the teachings of Robertson, and Gish, because Gish teaches above benefit of the creation of robust, secure, interfaces, which can be shared across multiple platforms, using JAVA.

Regarding claim 77, which depends on claim 76, Robertson teaches the making of multimedia web pages over the Internet (c.1,L.12-41). These web pages are converted into software objects that have which have a title or description of each page, and then incorporated into an electronic book or catalog (c.2, L.14-67, fig. 11, and c.6,L.10-67). Robertson fails to explicitly disclose *adding the selected pagelet as a page to a catalog*. It would have been obvious to one of ordinary skill in the art to have added the selected pagelets to a catalog or website over the Internet, because Robertson teaches the transfer, and use of the electronic book by other users, and that the web pages are converted into interchangeable/rearrangeable objects (c.6,L.1-67). Thereby allowing the creation of webbooks, which have their own related subjects, and which allow a user to view more than one page at a time.

Claim 78 is directed towards a method for implementing the method found in claim 76, and, therefore is similarly rejected.

15. Claims 62-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson, in view of Sidana, and further in view of Javascript, further in view of Gish, as applied to claim 76 above, further in view of Weinberg et al, hereinafter Weinberg (Pat.# 5,924,108, 6/13/99, filed on 3/29/96), and further in view of Fein et al, hereinafter Fein (Pat. # 5,924,108, 7/13/99, filed on 3/29/96).

Regarding claim 62, which depends on claim 75, Robertson teaches the indexing and reorganization of web pages, providing navigation information (c.6, L.1-67). Robertson fails to

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explicitly disclose *searching the internet and adding the search results as new pages, preparing summaries of one or more of the pages, performing statistical analyses, inserting new pages, automatically updating the electronic books*. Weinberg teaches the search, adding, performing statistical analyses, and automatic updating of web pages to a web site (abstract, col.24, lines 47-67, col. 26, lines 32-67). Fein teaches the summarizing function for creating the summary of a document (col. 4, lines 29-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combine the teachings of Robertson, Weinberg, and Fein, because Weinberg teaches above that these features facilitates document management, and Fein discloses the automatic creation of summaries, which succinctly describe a document's content (col. 2, lines 42-46).

Claims 63-74 are directed towards a method for implementing the method found in claim 62, and are therefore similarly rejected.

Response to Arguments

16. Applicant's arguments with respect to claims 61-74 have been considered but are moot in view of the new ground(s) of rejection. The Applicant remarks regarding claim 75, that the rejection is based on Robertson, that Kessenich is also included, and that Kessenich was considered as part of the rejection (p.5,L.11-17). The Applicant is referred to the rejection of this claim in view of the newly found prior art as outlined above, which more clearly shows the altering of the book structure.

Moreover, the Applicant remarks that neither Robertson, nor Kessenich teach or suggest pagelets that access and alter the electronic document structure of the electronic books (p.7,L.1-26). The Applicant is referred to the rejection of the claims in view of the newly found prior art as outlined above.

Regarding claim 76, the Applicant indicates that Gish reference was not considered (page 9, L.6-11). Due to an inadvertent oversight, the Gish reference was not included in the rejection header. However, this oversight has been corrected. Therefore, the Gish is part of the rejection of this claim.

Moreover, the Applicant states that neither Robertson, nor Kessenich teach or suggest pagelets that are computer programs which alter the structure of the electronic book (p.10,L.8-22). The Applicant is referred to the rejection of the claims in view of the newly found prior art as explained above.

Moreover, the Applicant remarks that the prior art does not teach the addition of a web page, having functions of ruffling pages or changing the layout of these pages, to an electronic book (p.11,L.9-23). The Applicant is referred to the rejection of the claims in view of the newly found prior art as outlined above.

17. Applicant's arguments filed 10/20/03 have been fully considered but they are not persuasive. Regarding claim 77, the Applicant submits that the prior art fails to teach a separate catalog for the pagelets (p.13,L.1-8). Robertson teaches the making of multimedia web pages over the Internet (c.1,L.12-41). These web pages are converted into software objects that have which have a title or description of each page, and then incorporated into an electronic book or

catalog (c.2, L.14-67, fig. 11, and c.6,L.10-67). Robertson fails to explicitly disclose *adding the selected pagelet as a page to a catalog*. It would have been obvious to one of ordinary skill in the art to have added the selected pagelets to a catalog or website over the Internet, because Robertson teaches the transfer, and use of the electronic book by other users, and that the web pages are converted into interchangeable/rearrangeable objects (c.6,L.1-67). Thereby allowing the creation of webbooks from the website or catalog of web pages having special functionality to alter the structure of the electronic book.

Claim 77 is rejected at least based on the rationale shown above.

Regarding claim 78, the Applicant submits that this claim adds the limitation of adding one or more pagelet means, and that this is not equivalent to claim 76 (p.13,L.12-19). The examiner disagrees, because the pagelet means for altering the arrangement of the electronic book as recited in claim 78 (L.8-10), is equivalent to the computer programs or pagelet —*pagelet means*-- for altering the arrangement of the electronic book as recited in claim 76 (L.8-10).

Conclusion

- I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gish (Pat. # 6,233,620).
- II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The

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examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

Director United States Patent and Trademark Office

Washington, D.C. 20231

Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).



CESAR B PAULA
Patent Examiner
Art Unit 2178

1/8/04